APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/333,591	06/14/1999	JAMES D. DAVIS	P4132/SUN1P	4277

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EXAMINER
ANYA, CHARLES E

ART UNIT	PAPER NUMBER
2126	

DATE MAILED: 02/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspond nc address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3/* MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>09 December 2003</u>.
2a) ☐ This action is **FINAL**.　　2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-17* is/are pending in the application.
　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1-17* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
　　a) ☐ All　b) ☐ Some * c) ☐ None of:
　　　1. ☐ Certified copies of the priority documents have been received.
　　　2. ☐ Certified copies of the priority documents have been received in Application No. _____.
　　　3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
　　　　application from the International Bureau (PCT Rule 17.2(a)).
　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
　　Paper No(s)/Mail Date *6, 8*
4) ☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____ .

DETAILED ACTION

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

2.   **Claims 1,2,4,5,14 and 15 are rejected under 35 U.S.C. 103(a) as being**

unpatentable over U.S. Pat. No. 5,136,716 to Harvey et al. in view of U.S. Pat. No.

6,317,748 B1 to Menzies et al.

3.   As to claim 1, Harvey teaches creating a connection between said object

manager and each said at least one repository wherein each repository has an

associated communication protocol (Connection Control Module 22 Col. 4 Ln. 1 – 28),

identifying a selected repository and its associated communication protocol (figure 3A

Col. 4 Ln. 36 – 48), passing a communication protocol indicator from said object

manager to the a repository API, said protocol indicator identifying the associated

communication protocol by which said object manager desires to communicate with

said repository (figure 2 Col. 4 Ln. 61 – 67), creating, by the repository API, a

protocol-specific object having methods implemented using said associated

communication protocol (Clerk Interface 26 Col. 4 Ln. 61 – 67), and returning said

protocol-specific object to said object manager, whereby said object manager

communicates with said CIM repository using said associated communication protocol

(figure 2 "...obtains..." Col. 4 Ln. 61 - 67).

Harvey is silent with reference to a method for communication between a Common

Information Model (CIM) object manager of a host computer in coordination with a

repository application programming interface (API) and at least one CIM repository.

Menzies teaches a method for communication between a Common Information Model

(CIM) object manager of a host computer in coordination with a repository application

programming interface (API) and at least one CIM repository (figure 4). It would have

been obvious to apply the teaching of Menzies to the system of Harvey. One would

have been motivated to make such a modification in order to isolate applications from

protocols and data formats (Col. 5 LN. 36 – 40).

4.   As to claim 2, Harvey teaches the method of claim 1 further comprising: invoking

a method defined upon said protocol-specific object/transmitting said method using said

associated communication protocol over said connection to said repository

("...parameter...transferring..." Col. 5 Ln. 18 – 24) and returning a result to said object

manager over said connection using said associated communication protocol (Although

this step is not explicitly taught is inherent for a return message to be sent back after the

transferring step of column 5 lines 18 – 24).

5.   As to claim 4, Harvey is silent with reference to the method of claim 1 wherein

said CIM repository is resident on said host computer, however one of ordinary skill in

the art would have known to implement the CIM repository to be resident on the host

computer to provide local object management system.

6.   As to claim 5, Harvey teaches the method of claim 1 wherein said CIM repository

is resident on a separate computer (Server 10A Col. 3 Ln. 1 – 40).

7.   As to claim 14, Harvey teaches creating a connection between said object

manager and said at least one repositories wherein each of the repositories has an

associated communication protocol (Connection Control Module 22 Col. 4 Ln. 1 – 35),

identifying a selected repository and its associated communication protocol figure 3A

Col. 4 Ln. 36 – 48), passing a communication protocol indicator from said object

manager to the repository API, said protocol indicator identifying the associated

communication protocol by which said object manager desires to communicate with

said CIM repository (figure 2 Col. 4 Ln. 61 – 67), creating by the repository API, a

protocol-specific object having methods implemented using said associated

communication protocol (Clerk Interface 26 Col. 4 Ln. 61 – 67) and returning said

protocol-specific object to said object manager, whereby said object manager

communicates with said repository using said associated communication protocol

("…obtain…" Col. 4 Ln. 61 – 67, Col. 5 Ln. 7 – 24).

Harvey is silent with reference to a computer-readable medium comprising computer

code for communication between a Common Information Model (CIM) object manager

of a host computer in coordination with a repository application programming interface
(API) and at least one CIM repositories.

Menzies teaches a computer-readable medium comprising computer code for

communication between a Common Information Model (CIM) object manager of a host

computer in coordination with a repository application programming interface (API) and

at least one CIM repositories (figure 4). It would have been obvious to apply the

teaching of Menzies to the system of Harvey. One would have been motivated to make

such a modification in order to isolate applications from protocols and data formats (Col.

5 LN. 36 – 40).

8.   As to Claim 15, Harvey teaches the computer-readable medium of claim 14

further comprising computer code for effecting the following: invoking a method defined

upon said protocol-specific object/transmitting said method using said associated

communication protocol over said connection to said repository

("...parameter...transferring..." Col. 5 Ln. 18 – 24) and returning a result to said object

manager over said connection using said associated communication protocol (Although

this step is not explicitly taught is inherent for a return message to be sent back after the

transferring step of column 5 lines 18 – 24).

9.   **Claims 3,6-13,16 and 17 are rejected under 35 U.S.C. 103(a) as being**

unpatentabl   over U.S. Pat. No. 5,136,716 to Harvey et al in vi w of U.S. Pat. No.

6,317,748 B to Menzies t al. as applied to claim 1, and furth r in view of U.S. Pat.

No. 6,134,581 to Ismael et al.

10.   As to claim 3, Harvey is silent with reference to the method of claim 1 wherein

said associated Communication protocol is LDAP, JDBC or JAVA.

Ismael teaches the method of claim 1 wherein said associated Communication protocol

is LDAP, JDBC or JAVA ("...JavaRMI..." Col. 12 Ln. 23 – 25). It would have been

obvious to apply the teaching of apply the teaching of Ismael to the system of Harvey.

One would have been motivated to makes such a modification in order allow Java

applications to interact with an agent (Col. 12 Ln. 23 – 25).

11.   As to claim 6, Harvey is silent with reference to the method of claim 1 wherein

said creating a protocol-specific object includes calling a JAVA factory class.

Ismael teaches the method of claim 1. wherein said creating a protocol-specific object

includes calling a JAVA factory class ("...sunw.jaw.moa.rmi..." Col. 12 Ln. 21 – 25). It

would have obvious to apply the teaching of Ismael to the system of Harvey. One would

have been motivated to make such a modification to provide independent protocol (Col.

12 Ln. 15 – 19).

12.   As to claim 7, Harvey teaches a computer system for interacting with at least one

repository, said system comprising: a object manager including a CIM repository

indicator, an associated communication protocol indicator ("...request..." Col. 4 Ln. 61 –

67), and program code for interacting with said at least one repository (figure 2 Col. 4

Ln. 61 – 67), and a repository application programming interface (API) including a

factory class arranged to receive said repository indicator (Clerk Interface 26 Col. 4 Ln.

61 – 67) and said associated communication protocol indicator from said CIM object

manager and to produce a protocol-specific object (protocol tower..." Col. 4 Ln. 61 –

67), a first class having methods defined thereon implemented in a first protocol

("...parameter..." Col. 5 Ln. 7 – 24), and said protocol -specific object may be returned

to said object manager for use in interacting with said at least one repository

("...obtains..." Col. 4 LN. 61 – 67, Col. 5 Ln. 1 – 24).

Harvey is silent with reference to a common information model, a second class having

methods defined thereon implemented in a second protocol and said protocol-specific

object may be returned to said CIM object manager for use in interacting with said at

least one CIM repository.

Menzies teaches common information model (figure 2 Col. 5 Ln. 26 – 60). It would have

been obvious to apply the teaching of Menzies to the system of Harvey. One would

have been motivated to make such a modification to provide data representation

formalism (Col. 2 Ln. 36 – 41).

Although Ismael is does not explicitly teach a second class having methods defined

thereon implemented in a second protocol, he provides a name service that is protocol

independent (Col. 12 Ln. 15 – 32), hence a second class having methods would be

obvious to one of ordinary skill in the art.

13.   As to claim 8, Harvey teaches the system of claim 7 wherein said computer

system object manager is arranged to receive a method call from a management

application using the associated communication protocol identified by said associated

communication protocol indicator (Address Resolution Module 24 Col. 4 Ln. 61 – 67).

14.   As to claim 9, Harvey is silent with reference to the system of claim 7 wherein

said at least one CIM repository is resident on said computer system, however one of

ordinary skill in the art would have known to implement the CIM repository to be

resident on the host computer to provide local object management system.

15.   As to claim 10, Harvey teaches the system of claim 7 wherein said computer

system and said repository are connected over network connection implemented in the

associated communication protocol identified by said associated communication

protocol indicator (figure 2 Col. 4 Ln. 61 – 67).

16.   As to claim 11, Harvey is silent with reference to the system of claim 7 wherein

the associated communication protocol identified by said associated communication

protocol indicator is selected from the group consisting of LDAP, JDBC or JAVA.

Ismael teaches the method of claim 7 wherein the associated communication protocol

identified by said associated communication protocol indicator is selected from the

group consisting of LDAP, JDBC or JAVA ("...JavaRMI..." Col. 12 Ln. 23 – 25). It would

have been obvious to apply the teaching of apply the teaching of Ismael to the system

of Harvey. One would have been motivated to makes such a modification in order allow

Java applications to interact with an agent (Col. 12 Ln. 23 – 25).

17.   As to claim 12, see the rejection of claim 7.

18.   As to claim 13, Harvey teaches the system of claim 12 wherein each CIM

repository is resident on a different computer (figure 1 Col. 3 Ln. 1 – 40).

19.   As to claim 16, Harvey is silent the computer-readable medium of claim 14

wherein said associated communication protocol is LDAP, JDBC, or JAVA.

Ismael teaches the method of claim 14 wherein said associated Communication

protocol is LDAP, JDBC or JAVA ("…JavaRMI…" Col. 12 Ln. 23 – 25). It would have

been obvious to apply the teaching of apply the teaching of Ismael to the system of

Harvey. One would have been motivated to makes such a modification in order allow

Java applications to interact with an agent (Col. 12 Ln. 23 – 25).

20.   As to claim 17, Harvey is silent with reference to the computer-readable medium

of claim 14 wherein said creating a protocol-specific object includes calling a JAVA

factory class.

Ismael teaches to the computer-readable medium of claim 14 wherein said creating a

protocol-specific object includes calling a JAVA factory class ("…sunw.jaw.moa.rmi…"

Col. 12 Ln. 21 – 25). It would have obvious to apply the teaching of Ismael to the

system of Harvey. One would have been motivated to make such a modification to provide independent protocol (Col. 12 Ln. 15 – 19).
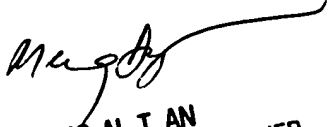
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E Anya whose telephone number is (703) 305-3411. The examiner can normally be reached on M-F (8:30-5:30) First Friday off.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Charles E Anya
Examiner
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